



## How San Diego Could Use Even More Sunshine

By Carl DeMaio and Donna Frye

**Monday, March 16, 2009** | March 15-21, 2009 marks "Sunshine Week" all across the country. No, we aren't predicting a week with perfect weather -- though we usually are blessed with that in San Diego. We're talking about a week dedicated to advancing the cause of "open government" -- an issue where we are not quite as blessed.

Open government is a simple concept that holds the public has a right to know what government is doing -- and why. Open government is not just about shining a light on what is going on inside government, it is also about engaging and empowering the public to get more involved in the processes of government.

By commemorating a Sunshine Week, the goal is to better educate the public on what kinds of government information they have a right to access -- and how to best access it. More importantly, the focus on Sunshine Week is to push elected leaders to reform government processes to make them more open and accessible to the public. For example, the City Council majority voted recently to increase the number of evening meetings to make it easier for the public to participate.

Progress has also been made regarding closed session meetings. In 2004, significant reforms included requiring more detailed descriptions of all closed session items, and that the public be provided the opportunity to speak on all closed session items. The ultimate goal was to ensure that closed sessions were the exception to the open meeting requirements, not the rule. Although not required by law, a provision was added requiring all closed session meetings to be transcribed.

Later that year, an open government ballot measure was approved by over 80 percent of the voters. This measure changed the City Charter by shifting the burden from the public to the government to show there is a real and legitimate need for secrecy before any requested public information is withheld thus making it easier for the public to obtain information.

Last year, we launched a bipartisan "Council Governance Project" to generate additional open-government reforms. While we are making progress, more needs to be done. Here are a few we think need to be implemented this year.

**Contract Transparency:** The public has a right to know who is getting taxpayer-funded contracts. We have proposed that all city contracts in excess of \$25,000 be posted in a searchable format online on the city's website, and any contractor that has received in excess of \$25,000 cumulative from the city also be posted with links to all contracts awarded to that contractor.

**Budget Process Reform:** City taxpayers deserve to know what service levels they receive for

their tax dollars. In recent years there have been concerns that there is not enough focus on using performance measures to define service levels -- and that mid-year budget changes have adversely impacted service levels without the City Council or the public knowing in advance. We have proposed a "Performance Budgeting" ordinance be passed to provide a formal role for the City Council in selecting performance measures -- and require that quarterly performance results be posted online for the public to track.

**Improved Disclosure of Docket Materials:** Timely and complete access to public documents relating to a pending municipal decision should be the centerpiece of an open government. Providing the public with supporting documents to the docket allows for additional review and scrutiny of the data, information, and arguments being presented to councilmembers in support of a decision. Unfortunately, there have been numerous instances where supporting information for a docket item has arrived late -- preventing councilmembers and the general public from having an opportunity to adequately review the material before a decision is made. We have proposed new rules to ensure timely disclosure of documents--and of course we stand ready to raise objections when documents are not provided to the public.

**Expanded Use of City TV:** City TV Channel 24 is an important resource that city officials can use to keep the public informed on issues facing the community and possible solutions and services available. At present the Office of the Mayor controls the scheduling and use of City TV - - raising concerns about the City Council's ability to effectively and equally use this important public information resource. We have proposed to clarify policies to ensure equal access to City TV for all elected officials--and have suggested additional public interest programming be offered using City TV.

While we are from different political parties, we both are committed to working together to advance open government in San Diego. If you want to join in that effort, use "Sunshine Week" as your opportunity to contact your elected representatives and encourage them to let the light pour into every level of government.

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